



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

in re application of:

ROBIN M. MILLER

Group Art Unit: 2674

Examiner: Kevin M. Nguyen

Serial No.: 09/090,071

Filed: June 3, 1998

For: HEADS-UP DISPLAY WITH IMPROVED CONTRAST

Attorney Docket No.: LUTA 0177 PUS (11567)

RECEIVED

AUG 21 2003

Technology Center 2600

TRANSMITTAL LETTER

Mail Stop Appeal Brief - Patents
Commissioner for Patents
U.S. Patent & Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed with reference to the above-identified patent application are the following documents:

1. Notice of Appeal; and
2. Supplemental Appeal Brief III Under 37 C.F.R. § 1.192(in triplicate).

Previously, the Examiner reopened prosecution three times prior to a decision on the merits by the Board of Patent Appeals and Interferences. Once in response to an Appeal Brief filed on December 8, 2000, twice in response to a Supplemental Appeal Brief filed on November 1, 2001, and again in response to a Supplemental Appeal Brief II filed on January 27, 2003. The Applicant paid the required Notice of Appeal and Appeal Brief fees during the appeal proceedings of the first Appeal Brief filed on December 8, 2000.

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this paper, including all enclosures referred to herein, is being deposited with the United States Postal Service as first-class mail, postage pre-paid, in an envelope addressed to: Mail Stop Appeal Brief - Patents, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

August 14, 2003
Date of Deposit

James N. Kallis
Name of Person Signing

Signature

Accordingly, and in reference to M.P.E.P. §1208.02, it is understood that “whether Appellant elects to continue prosecution or to request reinstatement of the Appeal, if prosecution was reopened prior to a Decision on the Merits by the Board of Patent Appeals and Interferences, the fee paid for the Notice of Appeal [and] Appeal Brief...will be applied to a later Appeal on the same application” (modifications added).

As such, the Applicant has not included any fees for the accompanying Notice of Appeal and Appeal Brief. If the Applicant is incorrect in the calculation of fees due in connection with the filing of these papers, the Commissioner is authorized to charge any additional fees or credit any overpayments as a result of the filing of these papers to our Deposit Account No. 02-3978. A duplicate of this Transmittal Letter is enclosed for that purpose.

Respectfully submitted,

ROBIN M. MILLER

By: 

James N. Kallis
Reg. No. 41,102
Attorney for Applicant

Date: August 14, 2003

BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075
Phone: 248-358-4400
Fax: 248-358-3351